IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 925 (MB) of 2006

Kishan Singh Negi,
Son of Sri Joga Singh Negi,
Resident of Ward No. 6 Railway Bazar,
Lalkaun,
District – Nainital. **…...Petitioner**

V e r s u s

1. State of Uttaranchal.
2. Senior Superintendent of Police, Nainital.
3. Station House Officer, Police Station – Lalkaun, District – Nainital.
4. Sri Rajesh Kumar, son of Sri Tulsi Singh, presently posted as Patwari, Patwari Circle – Lalkaun, district – Nainital.

.....Respondents

Coram:
Hon'ble M.M. Ghildiyal, J.
Hon'ble B.S. Verma, J.

Heard Sri Dinesh Chauhan, learned counsel for the petitioner and Sri D.K. Sharma, learned Government Advocate, for State of Uttaranchal on behalf of respondent nos. 1 to 3.

By means of this writ petition, the petitioner has prayed to issue a writ in the nature of Certiorari quashing the first information report dated 07.04.2006 registered under sections 397, 411 IPC and section 26 of the Indian Forest Act, Police Station – Lalkaun, District – Nainital.

The name of the petitioner came into the light from the statement of co-accused.

We do not deem it fit and proper to interfere with the investigation at this stage. However, if the petitioner is arrested or surrender before the court he can apply for bail and the

concerned Magistrate, shall dispose of the bail application of the petitioner as expeditiously as possible.

Writ petition is dismissed. No order as to costs.

(B.S. Verma, J) (M.M. Ghildiyal, J)

August 04, 2006
SKSharma